

NOT PRECEDENTIAL

UNITED STATES COURT OF APPEALS  
FOR THE THIRD CIRCUIT

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No. 02-3640

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RAYMOND H. SMITH,

Appellant

v.

\*JO ANNE BARNHART, Commissioner of Social Security

\*(Pursuant to F.R.A.P. 43(c))

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On Appeal from the United States District Court  
for the Eastern District of Pennsylvania  
(D.C. Civil No. 01-cv-04340)  
District Court Judge: The Honorable Clarence C. Newcomer

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Submitted Under Third Circuit L.A.R. 34.1(a)  
March 6, 2003

Before: ROTH, BARRY, and FUENTES, Circuit Judges.

(Opinion Filed: March 21, 2003)

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OPINION OF THE COURT

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FUENTES, Circuit Judge:

Plaintiff Raymond Smith appeals the District Court's affirmance of the decision of the Commissioner of Social Security denying his claim for disability insurance benefits under 42 U.S.C. §§ 401-433. We have jurisdiction under 42 U.S.C. § 405(g) and 28 U.S.C. § 1291.

Our review is limited to determining whether the Commissioner's decision is supported by substantial evidence. See Fagnoli v. Massanari, 247 F.3d 34, 38 (3d Cir. 2001). The factual findings of the Commissioner must be accepted as conclusive so long as they are supported by substantial evidence. See 42 U.S.C. § 405(g); Richardson v. Perales, 402 U.S. 389, 390 (1971). "Substantial evidence" is "more than a mere scintilla. It means such relevant evidence as a reasonable mind might accept as adequate." Fagnoli, 247 F.3d at 38 (quoting Plummer v. Apfel, 186 F.3d 422, 427 (3d Cir. 1999)).

We have carefully considered Smith's arguments in this appeal and find that they lack merit. For the reasons substantially stated in the District Court's well-reasoned and thorough opinion, we find that substantial evidence supported the Commissioner's determination that Smith retained the residual functional capacity to perform light work and its decision to deny Smith disability insurance benefits.<sup>1</sup> We therefore affirm.

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<sup>1</sup>On September 29, 2002, the District Court adopted Magistrate Judge Melinson's Report and Recommendation, which was filed on September 11, 2002. We therefore consider the Magistrate Judge's Report and Recommendation to be the opinion of the District Court.

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TO THE CLERK OF THE COURT:

Kindly file the foregoing Opinion.

/s/ Julio M. Fuentes  
Circuit Judge